

Right to Know Laws* or Hazard Communication Standards

There is some confusion about the use of hazardous chemicals in schools and about how the relevant “Right-to-Know” laws apply to schools. Let’s set the record straight for public schools. The United States government has passed the Hazard Communication Standard (usually referred to as the “Right-to-Know” law) and the Laboratory Standard, but these laws do not extend coverage to state and local governments. However, almost all state governments have either passed their own version of the Hazard Communication Standard or put their stamp of approval on the federal laws and extended their jurisdiction to cover local and state governmental bodies—including public schools. Federal jurisdiction does apply to all private schools.

The purpose of these laws is to inform employees about any hazards associated with an employee’s work. Employees have the “right to know” about all the hazards they might deal with in the workplace.

Flinn Scientific is Your Safer Source...

Flinn will help you meet all the requirements of the Right to Know laws with easy-to-use and affordable solutions. From the teacher favorite *Flinn Scientific Catalog/Reference Manual* to the informative Flinn Web site at www.flinnsci.com to our helpful Technical Services department, you are never more than a phone call (800-452-1261) or e-mail (flinn@flinnsci.com) away from the best safety advice available. We have more than 30 years of experience helping teachers solve their safety problems, so let us help you meet your legal requirements of the Right to Know Laws.

Major Requirements

The federal and most state Right to Know laws contain the following six requirements or provisions.

1. Material Safety Data Sheets (MSDS)

MSDS is the primary way of communicating the hazards of a chemical to an employee or an employer. The MSDS provision of the law requires the employer to acquire, update and maintain MSDS for all of the hazardous chemicals used or stored in the facility and to make those MSDS available to the employee for informational purposes.

The minimum standards for MSDS include:

- The MSDS must be written in English
- Chemical name
- Hazardous components
- Physical characteristics (density, flash point, etc.)
- Physical hazards (fire, explosion, reactivity)
- Health hazards (both chronic and acute). All signs or symptoms of exposure must be listed. Carcinogens must be identified.
- Primary routes of entry and target organs
- Permissible exposure limits or TLV
- Any applicable precautions (gloves, goggles, fume hood, etc.)
- First aid and emergency procedures (chemical splash, spill handling, etc.)
- Date prepared
- Name and address of the manufacturer or MSDS preparer including the phone number.

* The Right to Know law summary information listed here was obtained from reliable sources. For more information, go to www.flinnsci.com/safety for the name and address of the agency in your state that regulates these laws and standards.

Flinn MSDS Are Designed for Teachers

Flinn MSDS are updated on a regular basis, guaranteeing the most up-to-date safety information possible. For more information on how to read an MSDS, please read the article on pages 1062–1063. With your first order of the year, every teacher will receive a CD from Flinn Scientific containing all of our MSDS. You may also request another CD at any time. Flinn sells a complete MSDS Library in two versions, a hard copy version in two binders or an MSDS software program. For a more detailed description of our MSDS Library, please refer to the *Flinn Scientific Catalog/Reference Manual*.

For our customers’ convenience, Flinn has also placed a complete set of MSDS on our Web site in the form of easy-to-download pdf files. Simply go to www.flinnsci.com and click on the *Safety* icon—individual MSDS are easy to find and copies may be printed from your computer.

2. Hazardous Materials List

A list of all hazardous chemicals must be assembled. In most states this list is kept only by the employer and access is given to the employee on request. Some states require a copy of this list to be given to the fire department or some other state agency. See the state-by-state breakdown of the Right to Know laws for further details.

3. Inventory

The hazardous materials list and an up-to-date inventory usually go hand in hand. Both the list and the inventory must be continually updated. An inventory of all hazardous chemicals is an essential requirement of most Right to Know laws. An inventory consists of the name of the chemical, how much you have, and where it is stored.

Use Flinn Chemventory to Prepare Your Inventory

Creating an inventory for a school science department and maintaining it takes a lot of time. Flinn makes it easy with the Flinn Chemventory program. Chemventory is the most complete and affordable chemical management program available to schools. It is an easy-to-use database that will help you organize, create, and maintain an inventory of all your chemicals. The program also contains comprehensive safety information for over 1,000 common chemicals. For a more detailed description of the Flinn Chemventory program, please refer to the *Flinn Scientific Catalog/Reference Manual*.



4. Notification

All laws require the employer to notify the employee of any potential exposure or actual exposure to a hazardous substance. This is initially accomplished by posting the Right to Know regulations or a poster where it can be easily read and will be noticed by the employee. Notification is also accomplished through training and employee access to MSDS.

5. Training

Many state laws are very detailed and specific in the area of training requirements of employees. Most states require training to be done on an annual basis or when exposure to a new hazard is

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Right to Know Laws, continued

anticipated. Some states require this training to be in written form while others allow verbal training or some combination of both types. Training includes:

- Learning to read labels and MSDS
- Providing the locations of hazardous materials
- Learning the hazards associated with the materials in the workplace, both chronic and acute
- Safe handling of chemicals
- Use of protective equipment (fire extinguishers, respirators, etc.)
- First aid and emergency procedures (spills, exposure, splashes, etc.)

Flinn Is Your Source for Safety Training

Annual safety training is required in most states. Flinn Scientific trains over 3,000 teachers every year through the Flinn Scientific Laboratory Safety Seminars. This safety seminar is also available as a fast-paced, two-hour video that is perfect for in-service programs or new teacher training. To help satisfy annual training requirements, Flinn provides free monthly safety training through the Flinn Science Department Safety Training Notes. These safety notes are sent out every month via e-mail. To receive this valuable training aid, please call Flinn or sign up on our Web site at www.flinnsci.com.

Many teachers consider *The Flinn Scientific Catalog/Reference Manual* their "safety bible" and use it as the source of their informal safety training. The Flinn technical staff also writes numerous safety articles every year that are e-mailed to our customers or available on the Flinn Web site. Count on Flinn for your safety training needs.

6. Labels and Labeling of Hazardous Materials

Most laws require that a minimum standard of labeling must be observed. This includes:

- Chemical name, concentration, target organ, effect, and date prepared
- Hazards, both physical and health
- Name and address of the manufacturer

All states indicate that if the product is purchased and the label meets the standard, no further labeling is necessary.

Use the Flinn Label Program to Prepare Custom Labels

Flinn chemical labels exceed all state and federal labeling guidelines. For those solutions teachers prepare, the Flinn Scientific Chemical Labeling Software is your solution—it will create and print informative chemical labels within seconds. The software database contains over 1,000 chemical labels, but it is just as easy to create a customized label for that special solution. Please refer to the *Flinn Scientific Catalog/Reference Manual* for more detailed information.

The New Laboratory Standard with the Chemical Hygiene Plan

In May of 1990, the federal government passed an extension of the Hazard Communication Act written specifically for the research and academic laboratory. Most states also passed a version of the Laboratory Standard. Enforcement of the new Laboratory Standard began in January of 1991. The Laboratory Standard is very similar in many ways to the original law. The major difference is the requirement to have a Chemical Hygiene Plan and a Chemical Hygiene Officer.

A Chemical Hygiene Plan (CHP) is a written report summarizing all your safety regulations, proper laboratory procedures for handling hazardous chemicals, and training procedures. The CHP should include:

- General laboratory rules and procedures
- Personal protective equipment requirements
- Spill and accident procedures
- Chemical storage rules and procedures
- Safety equipment requirements and inspection procedures
- Employee safety training
- Exposure and medical evaluations
- Emergency evacuation plan

The CHP is a manual that describes your laboratory regulations, proper lab procedures, and how to respond to emergency situations. The listing of rules and procedures are your Standard Operating Procedures. These rules and procedures must be well thought out with the principal goal of always minimizing the exposure of employees and students to hazardous chemicals.

Flinn CHP Has Helped Thousands of Teachers

Developing a Chemical Hygiene Plan (CHP) does not have to be difficult. Thousands of schools have created their own individualized CHP starting with the Flinn Scientific Chemical Hygiene Plan as a model or template. This multi-paged CHP model plan is available free from Flinn Scientific. It contains the basic safety laboratory regulations and procedures and is easy to alter to meet your individual school's needs. For a free copy of this important document, which is available as either a paper hard copy or a Word document, send your request to Flinn Scientific, Inc., P.O. Box 219, Batavia, IL 60510. For an electronic version, please e-mail us at flinn@flinnsci.com and request the CHP Word document.

Conclusion

The various state Right to Know laws are all very similar. The six major requirements or provisions discussed above are always included, along with minor modifications concerning who must be trained and how or to whom you will have to send MSDS and hazardous materials lists. The paperwork requirements (MSDS and reporting lists) can be overwhelming, but are mandated by the laws. The science teacher's five major steps include:

- Take an inventory (develop a list of hazards)
- Acquire, update, and maintain Material Safety Data Sheets
- Label all chemicals properly
- Train
- Develop a Chemical Hygiene Plan

Following these five steps will not only help you comply with your respective state's Right to Know law, but will also improve the safety in your classroom.

Right to Know Law Analysis

State	Chemical Hygiene Plan	MSDS Required	List/Inventory Required	Training	Labeling Required	Special Comments
Federal OSHA	✓	✓	✓	✓	✓	
Alabama	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Alaska	✓	✓	✓	✓	✓	Very similar to the Federal OSHA Standard.
Arizona	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Arkansas	✓	✓	✓	✓	✓	Written hazard communication program required.
California	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Colorado	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Connecticut	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Delaware	No	✓	✓	✓	✓	An employee Right to Know Law.
District of Columbia	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Florida	✓	✓	✓	✓	✓	Requires providing a list of hazardous materials to fire department.
Georgia	No	✓	✓	✓	✓	Written school safety plan required.
Hawaii	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Idaho	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Illinois	✓	✓	✓	✓	✓	Notify your fire department regarding any toxic materials.
Indiana	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Iowa	✓	✓	✓	✓	✓	Follows Federal OSHA Standard. Requires a written training program.
Kansas	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Kentucky	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Louisiana	✓	✓	✓	✓	✓	Requires an emergency response guidebook.
Maine	✓	✓	✓	✓	✓	Requires a written training and hazardous communication program.
Maryland	✓	✓	✓	✓	✓	Requires a list of hazardous materials be sent to the Dept. of Environment.
Massachusetts	No	✓	✓	✓	✓	Written hazard communication program recommended.
Michigan	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Minnesota	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Mississippi	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Missouri	✓	✓	✓	No	No	Provide MSDS to your fire department.
Montana	✓	✓	✓	✓	✓	A list of hazardous materials should be provided to the county.
Nebraska	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Nevada	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
New Hampshire	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
New Jersey	✓	✓	✓	✓	✓	A hazardous materials list must be submitted to the NJ Department of Health.
New Mexico	✓	✓	✓	✓	✓	Requires the written hazard communication program.
New York	✓	✓	✓	✓	✓	Requires the written hazard communication program.
North Carolina	✓	✓	✓	✓	✓	Be given to your fire department for large quantities of chemicals on premises.
North Dakota	No	✓	✓	✓	✓	Requires a written training and hazardous materials communication program.
Ohio	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Oklahoma	✓	✓	✓	✓	✓	Requires a written training program. Requires the CAS number be on the label.
Oregon	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Pennsylvania	✓	✓	✓	✓	✓	Give a list of the hazardous materials to your fire and police departments.
Rhode Island	✓	✓	✓	✓	✓	Hazardous materials list must be sent to Dept. of Labor and fire department.
South Carolina	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
South Dakota	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Tennessee	✓	✓	✓	✓	✓	Similar to the Federal OSHA Standard.
Texas	No	✓	✓	✓	✓	You may have to provide MSDS or a list of hazardous agents to your fire dept.
Utah	✓	✓	✓	✓	✓	Requires a written hazard communication program.
Vermont	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Virginia	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Washington	✓	✓	✓	✓	✓	Requires a written hazard communication program.
West Virginia	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.
Wisconsin	✓	✓	✓	✓	✓	An employee Right to Know Law.
Wyoming	✓	✓	✓	✓	✓	Identical to the Federal OSHA Standard.